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Mining Town Privileges in Angevin Hungary*

The present study examines the privileges obtained by the mining towns during the Angevin Era. It also looks at the extent to which these privileges diverged from those granted to other towns, and how all this led to the development of the mining town as a distinct class of towns. The question itself is interesting not only with respect to urban history, but also because it brings us closer to an understanding of why these towns acted jointly in defense of their interests, and how all this led to the formation of leagues of mining towns, which by the fifteenth century were organizing themselves on a territorial basis. After a detailed examination of the legal, ecclesiastical and economic privileges the study has come to the conclusion that in the area of both legal and economic privileges significant differences and divergences can be discerned in comparison to privileges bestowed on other towns. The reason for the differences naturally is to be sought in mining, and in the need to secure the royal revenue stemming from it. From a legal standpoint, this shows up not only in the appearance of offices linked to mining, but also in the emergence of *comites* or *rectores* appointed by the king to head the mining towns. In discussing economic privileges it may be observed that, whereas other towns were motivated primarily by a desire to obtain commercial privileges (e.g., right to hold markets, exemption from tolls), mining towns were moved by the need to secure the rights connected to mining. Thanks to their special freedoms, the mining towns differed from other towns while also forming an organic part of the urban network.

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The fifteenth-century, German-language *Chronicle of Szepesszombat* (*Georgenberger Chronik*)¹ writes the following about the urban policy of the Angevins: “this king [Louis I] and his father [Charles I] loved the towns of Hungary greatly, and they

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1 Cf. Stephen Mossman, “Georgenberger Chronik,” *Encyclopedia of the Medieval Chronicle*, Leiden–Boston: Brill Online, 2013. Reference, accessed March 21, 2013, http://www.pauylonline.brill.nl/entries/encyclopedia-of-the-medieval-chronicle/georgenberger-chronik-SIM_01093.

elevated them and improved [their condition].”² In what follows we will examine the extent to which this urban development policy held true for the mining towns, which were at this time emerging as a distinct class of towns, as well as the extent to which the privileges acquired by the mining towns diverged from those granted to other towns. From the late fourteenth century, these towns took common action in defense of their interests with increasing frequency, and the basis for this common interest lay in the identical privileges that Charles I and later Louis I bestowed on them over the course of the fourteenth century.

Already during the reign of Charles I (1301–1342) we find reference to the fact that the mining towns had privileges that were uniform or, at least with respect to mining, similar. When on March 12, 1337 King Charles authorized Lukács, son of Kozma, Detre, son of Leusták and Miklós, son of Iván, as well as Gergely, son of Gyula of Kistapolcsány to search for gold, silver as well as other ores and metals, and open mines, within the boundaries of their estates of Dobrocsna (Dobročna, Slovakia), Bohó and Nevidzén (Nevidzany, Slovakia) and in the Divék Valley in Nyitra County, he also gave them an opportunity to establish towns there, which they would be allowed to administer according to the liberty of other mining towns (*iuxta libertatem aliarum civitatum montanarum*).³ Collective references to settlements of this kind may be cited from the era of the reign of Charles’s successor, Louis I (1342–1382), as well. On March 31, 1349 Louis ordered the marking of the borders of Idabánya (Zlatá Idka, Slovakia) according to the custom of other mines (*iuxta consuetudinem aliarum montanarum nostrarum in regno nostro existencium*), and within these limits he ceded the forests and other usufructs to the town, as was customary in other royal mines (*prout in aliis montanis nostris est consuetum*).⁴ On November 28, 1357 Louis allowed the burghers, *hospites* and miners of Zalatna (Zlatna, Romania) to possess the same freedoms that other mines in the kingdom enjoyed (*qua*

2 “Dieser konig und seyn fater habin dy stete zu ungeren zere gelibit und dy erhaben, und gepessert.” *Scriptores Rerum Hungaricarum tempore ducum regumque stirpis Arpadianae gestarum*, ed. Imre Szentpétery (Budapest: n.p. 1938), 284.

3 Gusztáv Wenzel, *Magyarország bányászatának kritikai története* [A Critical History of Mining in Hungary] (Budapest: MTA, 1880), 318–19. The original charter, now missing, had appeared dated 1307 as well; cf. Tivadar Botka, *Bars vármegye hajdan és most* [Bars County Then and Now] (Pest: n.p. 1868), vol. I, 8–9; and, based on this, *Regesta diplomatica nec non epistolaria Slovaciae*, 2 vols., ed. Vincent Sedlák (Bratislava: Veda, 1980–1987), vol. I, 467. For the correct date, see *Anjou-kori oklevéltár* [Charters of Angevin Hungary], 32 vols., eds. Tibor Almási et al. (Budapest–Szeged: n.p., 1990–2012), vol. II, 65.

4 *Výsady miest a mestečiek na Slovensku 1238–1350* [Privileges of the Towns and Markets in Slovakia 1238–1350], ed. Ľubomír Juck (Bratislava: Veda, 1984), 163–64.

cetera montana in regno nostro existentia gaudent et fruuntur).⁵ According to a charter from 1376, the people of Nagybánya (Baia Mare, Romania) were free to elect a judge and jurors (*iurati*), who were allowed to make judgments in matters arising among them, in a manner similar to that of other towns and mines (*ad instar... aliarum civitatum, et montanarum nostrarum*).⁶

What these privileges, referred to only in general terms in the charters quoted above, meant in reality to the burghers of the mining towns is illuminated by a diploma of King Charles dated June 14, 1325. In it, the sovereign granted the town of Aranyosbánya (Baia de Arieș, Romania) the liberties that the masters or workers of other royal gold mines enjoyed (*libertatibus, quibus aliarum aurifodinarum suarum magistri seu operarii utuntur*). The diploma goes on to list the privileges in detail: 1. they were obligated to pay an eighth of the mine's profits to the king as a *census* or tax; 2. neither the palatine, nor the Transylvanian voevode, nor the county ispáns (*comites parochiales*), nor any judge other than the king or the judge royal (*országbíró*) could pass judgment on them; 3. the king ceded to them land around the mine in the quantity of one and a half miles (*ad quantitatem unius et dimidiaae rastae*) in accordance with the custom of the other royal gold mines (*consuetudine ceterarum aurifodinarum*).⁷ Thus, it was payment of the *urbura*, the cession of a determined vicinity around the mine (important first and foremost because of the timber required for mining), as well as the right to adjudicate its own affairs that Charles regarded as the rights and obligations that were indispensable to a mining town. Taking one by one the privileges of each mine and mining town, below we will examine how the privileges enumerated in King Charles's 1325 charter manifested themselves (if at all) in these settlements, as well as what other freedoms tied to mining may be observed there.

Among the settlements that came to be known as mining towns, Selmecebánya (Banská Štiavnica, Slovakia),⁸ Rimabánya (Rimavská Baňa,

5 Magyar Nemzeti Levéltár Országos Levéltára (National Archives of Hungary, hereafter: MNL OL), Diplomatikai Levéltár [Medieval Charters, hereafter: DL], 36 543.

6 *Codex diplomaticus Hungariae ecclesiasticus ac civilis*, 11 vols., ed. György Fejér (Budae: Typis Typogr. Regiae Universitatis Ungaricae, 1829–1844) (hereafter: CD), vol. IX/5, 97–98.

7 *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen*, 7 vols, ed. Franz Zimmermann et al. (Hermannstadt–Cologne–Vienna–Bucharest, 1892–1991) (hereafter: UGDS), vol. I, 396; cf. *Anjou-kori oklevéltár*, vol. IX, no. 251.

8 Sometime between 1243 and 1255; cf. *Das Stadt- und Bergrecht von Banská Štiavnica / Schemnitz. Untersuchungen zum Frühneuhochdeutschen in der Slowakei*, ed. Ilpo Tapani Piirainen (Oulu: Universität of Oulu, 1986), 31.

Slovakia)⁹ and Gölnicbánya (Gelnica, Slovakia) obtained town charters back in the Árpád era.¹⁰ Neither the precise content nor the date of issue of Bakabánya's (Pukanec, Slovakia) first charter is known.¹¹ We may place the town's origin to the era of King Charles at the latest (allowing that it may have received its privileges as early as the second half of the thirteenth century), which is attested not only by the existence of the settlement and mine at that time,¹² but also by a charter dated 1337. According to the latter, two burghers of Bakabánya obtained a mill site on the Büksavnica River on the estate of the Abbey of Garamszentbenedek (Hronský Beňadik, Slovakia), in exchange for a tax paid annually for the mill (*pro censu annuallē*), which was needed to work the new mine opened up on the king's land in Savnic (that is, on the territory of the later Újbánya [Nová Baňa, Slovakia] in Bars County). At the same time, none of the privileges held by the residents of Bakabánya and the *hospites* of Savnic-Újbánya, whether enjoyed on the basis of customary law, or obtained from royal gift or to be received in the future, applied to this mill.¹³ In other words, the burghers of Bakabánya in 1337 were actively involved in the exploration of a new mine, which would serve as the embryo of a later independent mining town, while the abbey at Garamszentbenedek, defending its possessory rights on this territory, did not accept the validity of privileges already possessed or to be won in the future. Whereas the former restriction applied presumably to the then already existing privileges of Bakabánya, the basis for the latter may have been the assumption that sooner or later Újbánya, too, would gain privileges of its own. The people

9 In 1268. *Árpádkori Új Okmánytár* [Charters from the Árpád Age, New Series], 12 vols., ed. Gusztáv Wenzel (Pest–Budapest: Eggenberger Ferdinánd Akadémiai Könyvtársulás, 1860–1874) (hereafter: ÁÚO), vol. VIII, 212–13.

10 It may be assumed that Gölnicbánya received a town charter back in the era of Béla IV, because in 1287, at the request of the judge, councilors and citizens of Gölnicbánya, Ladislaus IV confirmed their privileges received from Béla IV and Stephen V. *Vjsady miest*, 67–68. Cf. Tibor Almási, “Megjegyzések Gölnicbánya Kun László királytól elnyert privilégiumához és megerősítéseihöz” [Notes on the Privilege of Gölnicbánya Obtained from King Ladislaus the Cuman and its Confirmations], *Acta Universitatis Szegediensis de Attila József nominatae. Acta Historica* 102 (1995): 43–49.

11 Regarding the content we may take as our starting point the diploma of King Wladislaw II copied down in the late fifteenth century, which contained confirmation of the privileges set out in the by that time destroyed charter. CD, vol. VII/5, 425–26. In the subsequent analysis it is this charter that we shall use.

12 Cf. 1321: *Anjou-kori okmánytár* [Charters from the Angevin Period], 7 vols., eds. Imre Nagy and Gyula Nagy (Budapest: MTA, 1878–1920), vol. I, 619–20. Its village headman (*Nicolaus villicus de Bakabania*) is first mentioned in 1329. MNL OL, DL 86 996.

13 “nulla iustitia, vel libertatis praerogativa, si quam ipsorum concives in Bakabanya, vel hospites in novis montaniis Chavnick vocatis ex consuetudine vel ex donatio regali haberent, vel in posterum habere possent;” CD, vol. VIII/4, 274.

of Bakabánya commenced mining in Újbánya around 1337,¹⁴ and the burghers of Bakabánya assumed a primary role in the negotiations between this mine and the abbey at Garamszentbenedek up until 1345. On August 16, 1345 it was still the judge and councilors of Bakabánya who were making arrangements for the mill,¹⁵ whereas a diploma of September 8, 1345, already mentions a judge and councilors of Újbánya in connection with the use of the abbey's estates.¹⁶ Újbánya therefore must have received its town privileges between August 16 and September 8, 1345.¹⁷ If we assume a similar chain of events in Bakabánya, where the people of Selmezbánya began working the mine prior to 1270,¹⁸ then we must suppose that the mining privileges were obtained sometime after this, and probably prior to the extinction of the Árpád dynasty.

The town privileges of the burghers and *hospites* of Rózsahegy (Ružomberok, Slovakia) granted by Dancs, ispán of Zólyom, were set down in writing on November 26, 1318,¹⁹ then on November 14, 1340 they received a similar charter of privilege from Charles I.²⁰ Körmöcbánya (Kremnica, Slovakia) was granted its privileges by Charles I on November 17, 1328,²¹ while on June 14, 1325 the *hospites* of the royal town of Aranyosbánya received from the ruler the liberties that the foremen or workers of other gold mines enjoyed.²² It must have been still during the reign of Charles that the *hospites* of Nagybánya received their privileges, since on September 20, 1347 Nagybánya's parish priest János, judge Márton, notary Péter and councilor Ulrik asked for and received from King Louis the bestowal of their privileges, contained in their old charter destroyed by fire, after the fashion of other principal royal towns (*ad instar civitatum nostrarum*

14 Cf. 1337: CD, vol. VIII/4, 273–74; 1345: *Monumenta ecclesiae Strigoniensis*, 3 vols., eds. Ferdinánd Knauz and Lajos Dedek Crescens (Strigonii: n.p., 1874–1924) (hereafter: MES), vol. III, 565.

15 “Kadoldus urbararius domini regis, civis de Bakabanya, item Dycusch iudex et iurati tunc pro tempore constituti ac universitas civium de eadem,” MES, vol. III, 565.

16 “iudicibus, iuratis, civibus et universis hospitibus, ac montanis in nova montana Schennych vocata nunc constitutis, et eciam ad eandem in posterum venientibus,” MES, vol. III, 567. On January 28, 1348 the judge and councilors of Újbánya together with the town community (*nos Ladizlaus dictus Lengel iudex, iurati et tota communitas civium et hospitum de Kvnigesperg*) issued a diploma with the town's seal; *ibid.*, 658.

17 Cf. Nándor Knauz, *A Garam melletti szent-benedeki apátság* [The Abbey of St. Benedek by the Garam River] (Budapest: n.p., 1890), 217.

18 Cf. ÁÚO, vol. VIII, 253–54.

19 *Výsady miest*, 91–92.

20 *Ibid.*, 132–33.

21 *Ibid.*, 115–16.

22 UGDS, vol. I, 396.

capitalium).²³ The first mention of the judge of Nagybánya, who was at the same time the judge of Felsőbánya (Baia Spire, Romania) as well (*comes Corrardus iudex civitatum Rivuli Dominarum et de Medio Monte*), may be found in a charter dated May 29, 1329,²⁴ and thus the bestowal of the town's privileges must have taken place prior to this date. The privileges of Nagybánya and Felsőbánya were set down in writing once more by King Louis on March 8, 1376.²⁵ The borders of the royal mining town of Rudabánya were surveyed in 1351,²⁶ while the judge and jurors appear in the charters in 1378.²⁷ Finally, Breznóbánya (Brezno, Slovakia) received privileges from Louis on August 14, 1380.²⁸ Thus far I have demonstrated when each mining town obtained its town privileges; henceforth I will examine the legal, ecclesiastical and economic privileges enumerated in these charters, the extent to which these differ from the privileges found in the charters of other towns, as well as the extent to which it is possible to infer from them the existence of uniform mining town privileges.

Legal Privileges

We begin the survey of the legal privileges of the mining towns by examining the free election of judge or village headman, mentioned in virtually every charter.²⁹ The right to freely elect their judge was obtained by the people of Rózsahegy,³⁰

23 CD, vol. IX/1, 498.

24 Wenzel, *Magyarország bányászatainak*, 410.

25 CD, vol. IX/5, 96–101.

26 MNL OL, DL, 71 888.

27 “iudex jurati et cives ac universi hospites de Rudabanya;” *A zichi és vásonkeői gróf Zichy-család idősb ágának okmánytára* [Archives of the Senior Branch of the Zichy Family of Zich and Vásonkeő], 12 vols., eds. Imre Nagy et al. (Budapest: Magyar Történelmi Társulat, 1871–1932), vol. IV, 37.

28 CD, vol. IX/5, 390–91.

29 Among the mining towns in the Árpád era Besztercebánya (Banská Bystrica, Slovakia) (*Codex diplomaticus et epistolaris Slovaciae*, 2 vols., ed. Richard Marsina [Bratislava: n.p., 1971–1987] (hereafter: CDES), vol. II. 341), Németlipcse (Partizánska Ľupča, Slovakia) (*Výsady miest*, 44) and Rimabánya (ÁÚO, vol. VIII, 212) received the right to freely elect judges. The people of Selmecbánya likely also received the opportunity to freely elect their judge, and their village headman is first mentioned in 1266 (ÁÚO, vol. VIII, 151). In Gölnöcbánya, although the charter of Ladislaus IV did not mention free election of judges, because no one apart from the judge and councilors could pass judgment on them, presumably this meant free election of the judge as well; *Výsady miest*, 68. We do not know the town charter of Radna (Rodna, Romania); however, we may infer its right to freely elect judges, which it must have received from Béla IV, since in 1268 the judge and councilors of Radna issued a diploma bearing the town's seal; UGDS, vol. I, 99–100.

30 1318: *Výsady miest*, 91; 1340: *ibid.*, 132.

Körmöcbánya,³¹ Szomolnokbánya (Smolník, Slovakia),³² Nagybánya,³³ Breznóbánya³⁴ and Libetbánya (Ľubietová, Slovakia).³⁵ When Bakabánya in the late fifteenth century had King Wladislaw II confirm its lost privileges, the ruler recalled the free election of the judge and jurors as an ancient custom (*ex antiquo more*),³⁶ since this was now regarded completely as the town's internal matter. Among the mining towns, only the 1340 letter of privilege of Rózsahegy referred to the royal confirmation of the judge;³⁷ this was a restrictive clause that guaranteed the king an opportunity, should the need arise, to place his own candidate in office. The charters of the non-mining towns in almost every case provided for the free election of the judge;³⁸ the king's right of confirmation was emphasized by the charters dated prior to 1245 almost without exception,³⁹ and scattered references to this are to be found after 1245 also.⁴⁰ In 1340 the people of Rózsahegy asked King Charles for the privileges of Lipcse in Liptó County, that is, those of a town whose charter likewise contained the requirement of royal confirmation.⁴¹

The charters, if they touched upon the judge's term of office, generally fixed it at one year.⁴² The king was generally unwilling to fix the date of the election; in 1338, for example, in the privilege of Szomolnokbánya Charles declared that they were to elect from amongst themselves a judge annually on the customary date (*in termino consueto*) in accordance with the custom of other

31 1328: *Výsady miest*, 115; their first judge (*Johannes iudex*) appears in 1331 in a diploma bearing the town's seal. MNL OL, Diplomatikai Fényképgyűjtemény [Collection of Photocopies, hereafter: DF], 250 151.

32 This right was confirmed in 1338. *Výsady miest*, 128. The sovereign issued the diploma at the request, among others, of the judge of Szomolnokbánya (*Albertus iudex Peturman dictus...de civitate nostra Smolnuchbana*); *ibid.*

33 1347: CD, vol. IX/1, 499.

34 1380: *ibid.*, vol. IX/5, 390. The judge of Breznó (*Andreas iudex*) is first encountered on August 31, 1381; *ibid.*, vol. IX/5, 462.

35 1382: *ibid.*, vol. IX/5, 577.

36 *Ibid.*, vol. VII/5, 425. The first village headman of Bakabánya is known to us from 1329 (*Nicolaus villicus*); MNL OL, DL 86 996.

37 *Výsady miest*, 132.

38 Cf. Erik Fügedi, "Középkori magyar városprivilegiumok" [Medieval Hungarian Town Privileges], *Tanulmányok Budapest Múltjából*, 14 (1961): 59–61.

39 Cf. *ibid.*, 61.

40 E.g., Lipcse (Liptó County), 1263: CD, vol. IV/3, 9; Buda, 1276: *Budapest történetének okleveles emlékei I (1148–1301)* [Charters Relating to the History of Budapest], ed. Albert Gárdonyi (Budapest: A székesfőváros kiadása, 1936), 157–58.

41 Cf. 1276: CD, vol. IV/3, 9.

42 We find this passage in the charter of Besztercebánya in 1255; see CD, vol. II, 341.

towns (*more aliarum civitatum nostrarum*).⁴³ In the charter issued to the people of Nagybánya in 1347 Louis I declared that the judge was to remain in his office for one year, until January 8.⁴⁴ This meant on the one hand that the election of the judge took place annually, and on the other it alluded to the date of the election also. In 1380 in the charter of Breznóbánya Louis already stipulated that they should elect from amongst themselves a judge for a term of one year (*per annum duraturum*) in the manner of other royal towns (*ad instar aliarum civitatum nostrarum*).⁴⁵ Although the charters stated that the judge was elected for one year, this did not exclude the possibility of the same person being elected the following year; indeed, we generally find that a given person held the office of judge for several years consecutively. In general the election of the jurors was not specifically mentioned by the charters,⁴⁶ and thus it almost certainly occurred at the same time as the election of the judge and likewise for a period of one year. Fixing the date of the election of the judge or stipulations concerning the election of jurors were not typical in the charters of non-mining towns either.⁴⁷ This is certainly an indication that the king regarded the election of judges as an internal affair of both the mining and other royal towns.

According to the stipulations of the charters, the judge's jurisdiction extended to all matters great or small arising within the limits of the town,⁴⁸ as we can read in the privileges of other towns as well.⁴⁹ We can read of this in the charters of Rózsahegy,⁵⁰ Szomolnokbánya,⁵¹ Nagybánya⁵² and Breznóbánya.⁵³ However, the judge's jurisdiction extended not only to lawsuits arising within the town's territory but also to the townspeople personally,⁵⁴ something that can be observed in non-mining towns as well.⁵⁵ In all their affairs the people

43 *Výsady miest*, 128.

44 CD, vol. IX/1, 499.

45 CD, vol. IX/5, 390–91.

46 An exception is Körmöcbánya, where we find the free election of judges and councilors among the privileges; *Výsady miest*, 115.

47 Cf. Fügedi, "Középkori városprivilegiumok," 61.

48 This can be found already in the privileges of the Árpád era; cf. Besztercebánya (CDES, vol. II, 341), Gölnicbánya (*Výsady miest*, 68) and Rimabánya (ÁÚO, vol. VIII, 212).

49 Cf. Fügedi, "Középkori városprivilegiumok," 62–63.

50 1318: *Výsady miest*, 91; 1340: *ibid.*, 132.

51 1338: *ibid.*, 128.

52 1347: CD, vol. IX/1, 499; Louis I reiterated it in 1376 in his charter issued at the request of Nagybánya and Felsőbánya; *ibid.*, vol. IX/5, 97.

53 1380: *ibid.*, vol. IX/5, 390–91.

54 Cf. Besztercebánya, 1255: CDES, vol. II, 341.

55 Cf. Fügedi, "Középkori városprivilegiumok," 63.

of Körmöcbánya were bound to appear only before the court of their judge or *villicus* (village headman). Moreover, if the judge neglected to render a judgment, he could be summoned to appear before the king. Charles I further supplemented this privilege by declaring that in case the townspeople owed money the debt had to be reclaimed before their own court first.⁵⁶ Louis I ruled in a similar fashion in 1347 in his charter for the people of Nagybánya, ordering that they could be brought to trial only before their own court, and if the judge and the jurors proved indifferent and neglectful, the judge was to be summoned to appear before the king.⁵⁷ The only modification brought to this by the 1376 charter of Nagybánya is its inclusion, in addition to the king, of the *tárnokmester* (*magister tavarnicorum*).⁵⁸ A curtailment of the judge's jurisdiction can be observed in the 1318 privilege of Rózsahegy, which ordered that lawsuits arising between the town burghers and foreigners were to be adjudicated jointly by the *villicus* of Rózsahegy and the *comes* of the other side;⁵⁹ the judge's competence thus extended only to internal affairs. Of all the Angevin charters granted to the mining towns, only that of Rózsahegy mentioned exemption from the authority of the county ispán.⁶⁰ In the town privileges this provision disappears in most cases in the fourteenth century, and the king defines only the jurisdiction of the judge. In the case of Rózsahegy, Charles may have considered it necessary to emphasize this separately in 1340 only because the people of Rózsahegy had received their first charter in 1318 from Dancs, ispán of Zólyom.⁶¹

In the mining towns we encounter officials who are not to be found in other towns, since their existence was tied to mining. The ruler appointed an ispán (*comes*) or *rector* to head the mining towns,⁶² while the town elected a judge. Buda was headed by a rector, with interruptions of varying duration, from 1264 until

56 1328: *Výsady miest*, 115.

57 1347: CD, vol. IX/1, 499–500.

58 Ibid., IX/5, 99.

59 *Výsady miest*, 91–92. We may observe this limitation in Hibbe (Hybe, Slovakia) as well; 1265: *ibid.*, 49.

60 1340: *ibid.*, 132.

61 Ibid., 91–92; Although the people of Rózsahegy received the privileges of Lipce in Liptó County both in 1318 and 1340, in 1318 exemption from the count's adjudication was not included among the privileges; in fact, Dancs personally was allowed to exercise even the right of *descensus*.

62 In 1355 Louis I appointed the castellan of Makovica, Miklós, son of Jakab Baracska, to be rector of the ore mines situated above Gibolt (Gáboltó), which belonged to the castle of Makovica, in accordance with the custom of other mines (*more et consuetudine aliarum montanarum regni nostri*). The rector was obligated to ensure the revenues due the king from the mine; MNL OL, DL 62 500.

the mid-fourteenth century,⁶³ and in the second half of the thirteenth century the rulers appointed a *podesta* to head the town of Zagreb.⁶⁴ This, however, also meant that the ruler had suspended the right of these towns to freely elect a judge, whereas in the mining towns the *rector* or *comes* worked alongside the judge elected by the town. Of the *comes* or *rector* the charters of the mining towns generally make no mention, except for the 1376 charter of Nagybánya;⁶⁵ their duties and jurisdiction, however, can be reconstructed unequivocally from other sources. The *rector* administered the town's affairs in conjunction with the judge and jurors elected by the town.⁶⁶ The ruler appointed to the mines *urburarii* (or *exactores urburarum*),⁶⁷ who were responsible for collecting the mining tax (*urbura*). According to the charter of Nagybánya the *urburarius* was allowed to take from the miners only the share equivalent to the *urbura* and no more. At the same time, the *urburarius* could publicly punish those miners who concealed the extracted ores. The *urburarius* himself could expect punishment if contrary to the law he employed violence against the miners, absconded with the extracted ore and used it for his own profit, or obstructed mining operations. However, the ruler emphasized specifically that the *urburarius* was not allowed to interfere in the town's other affairs (for instance, justice and tax collection).⁶⁸ Yet in 1376 Louis I already decreed that the town's judge and jurors were to pass judgment on wrongdoers in conjunction with the king's *comes* and *urburarius*.⁶⁹

The judge, the jurors and the community annually elected a *Bergmeister* or mine manager (*magister montis*) as well, who could investigate all matters arising during the working of the mine and render judgments together with the judge.⁷⁰ Although the *Bergmeister* was elected by the town authorities, he must nevertheless be regarded as a royal official. This is well illustrated by the Law

63 Cf. György Györffy, *Pest-Buda kialakulása. Budapest története a honfoglalástól az Árpád-kor régi székvárássá alakulásig* [The Formation of Pest-Buda. The History of Budapest from the Conquest to Its Development as Capital in the Late Árpád Era] (Budapest: Akadémiai Kiadó, 1997), 194–95; Attila Zsoldos, *Családi ügy. IV. Béla és István ifjabb király viszálya az 1260-as években* [A Family Affair. The Dispute between Béla IV and Rex Junior Stephen in the 1260s] (Budapest: MTA Történettudományi Intézete, 2007), 42.

64 Cf. Attila Zsoldos, "Városlakók a királyi család szolgálatában" [Town-dwellers in the Service of the Royal Family], *Történelmi Szemle* 47 (2005): 197–99.

65 CD, vol. IX/5, 97–98.

66 Cf. July 14, 1331: MNL OL, DF 250 152. 1337: *Anjou-kori okmánytár*, vol. III, 327–28; 1340: *ibid.*, vol. IV, 9–10; 1344: CD, vol. IX/1, 195–96; 1376: *ibid.*, vol. IX/5, 97–98.

67 1256: CDES, vol. II, 389–90.

68 1347: CD, vol. IX/1, 501–02.

69 1376: *ibid.*, vol. IX/5, 97–98.

70 1347: *ibid.*, vol. IX/1, 500.

Code of Selmezbánya: according to this, whereas the *Bergmeister* was chosen by the judge (and council) of the mining town, his wages were paid by the royal chamber.⁷¹ The *Bergmeister* supervised the mines and saw to the distribution and granting of mining allotments as well as the granting of mining permission.⁷² In mining matters he could also pronounce judgments in conjunction with other town officials.⁷³

According to the charter of Nagybánya, the judge and jurors also elected mine inspectors (*scansores*), who constantly monitored the mines and the mining works, primarily in the interests of protecting the *urbura*, the king's profit.⁷⁴ If the *scansor* proved neglectful and unfaithful, another had to be chosen in his place.⁷⁵ Although the mining town elected the *scansor*, he protected first and foremost the interests of the ruler.⁷⁶ The *scansor* along with the judge and jurors of the mining town could also pass judgment on a given mine's affairs, an example of which we find in Selmezbánya.⁷⁷ Moreover, according to the entry, the Bernhard who was taking care of matters here figured as the *scansor* of the mines of the king and the Kingdom of Hungary (*Bernhardus scansor montanorum regni Ungariae; Bernhardus scansor domini regis et montanorum regni Ungariae*). We consider it likely that the jurisdiction of the above-named Bernhard extended only to the mines of (to use a later expression) Lower Hungary, in the company of the representatives of which he sat in judgement at Selmezbánya in 1388.⁷⁸ The adjudicators there also included a certain Jacob called Rolle, a former royal *scansor*, who is known

71 “Nu setz Wir tzum Ersten wy Vnd von wem man Pergwerk entphohen zal vnd welicher tzeit So Ist tzu wissen, das, der Richtr [und der Rate] einer pergstatt hatt tzu setzen Ein Geschworn Perkmaster, vnd der zal sein zolt haben von der Camr des Khönigs.” *Das Stadt- und Bergrecht*, 46. The earliest manuscript does not contain the section referring to the council; however, it appears in each of the later manuscripts; cf. *Das Stadt- und Bergrecht*, 72, 101, 125, 157, 191.

72 Cf. the Mining Law of Selmezbánya, 45§, 46§, 47§, 56§, 57§. *Das Stadt- und Bergrecht*, 46–48, 50–51. Cf. Martin Stefánik, “Entstehung und Entwicklung der Berg- und Münzkammern und ihrer leitenden Beamten in den mittelslowakischen Bergstädten im Mittelalter,” in *Wirtschaftslenkende Montanverwaltung – Fürstlicher Unternehmer – Merkantilismus*, ed. Angelika Westermann et al. (Husum: Matthiesen Verlag, 2009), 64–70.

73 1402: MNL OL, DF, 235 721.

74 Cf. Stefánik, “Entstehung und Entwicklung,” 70–73.

75 1347: CD, vol. IX/1, 500.

76 Oszkár Paulinyi identified the *scansor* with the *Bergmeister*; see Oszkár Paulinyi, “A bányajoghatóság centralizációjának első kísérlete Magyarországon” [The First Attempt to Centralize Mining Authorities in Hungary], in idem, *Gazdag föld – szegény ország. Tanulmányok a magyarországi bányaművelés múltjából* [Rich Land – Poor Country. Studies from the Past of Mine Exploitation in Hungary], eds. János Buza and István Draskóczy (Budapest: Budapesti Corvinus Egyetem, 2005), 352, footnote 5.

77 1387, 1388: Wenzel, *Magyarország bányászatának*, 268.

78 MNL OL, DF, 235 721; Wenzel, *Magyarország bányászatának*, 268.

to have held the office of judge in Selmecebánya in 1372 and 1379, and was thus a citizen of the town.⁷⁹ In German-language sources the equivalent of *scansor* is *Steiger*.⁸⁰ This is also attested by one of the judgments of the administration of Selmecebánya regulating mine exploitation, which was taken by the *Steiger* in concert with the ispán of Selmecebánya, the judge, the jurors and the *Bergmeister*.⁸¹

According to the charter of Nagybánya, the judge, the jurors and the community also elected, without infringing upon the rights of the ispáns of the chamber (*kamaraispánok*), an experienced *auritactor*, whose inspection and calculation everyone would accept.⁸² More can be learned about this office with the help of a charter issued by Louis I on February 2, 1345, in which the ruler decreed that in the customary places of the chamber, in the mines and in the towns there be a “royal house” (*domus regalis*), where people were to bring the gold and silver for the purposes of selling, smelting and converting. In the mines only the ispán of the chamber could examine the number of carats of the gold, and this exclusively in the royal house, whereupon he marked the gold with the royal sign.⁸³ From this data we may conclude that the *auritactor* appearing in the charter of Nagybánya must have been a person who performed the examination of the gold in the town,⁸⁴ while the right to determine officially the number of carats and stamp the royal sign on the gold was left by Louis I firmly within the competence of the ispán of the chamber.⁸⁵

The privileges determined the manner of appeal as well, and designated the king as appellate forum.⁸⁶ On June 14, 1325 Charles I, when listing the privileges granted to the town of Aranyosbánya, which other royal gold mines also enjoyed (*libertatibus, quibus aliarum aurifodinarum suarum magistris seu operariis utuntur*), mentioned that neither the palatine nor the Transylvanian voevode nor

79 *Magyarországi városok régi számadáskönyvei* [Old Account Books of Hungarian Towns], ed. László Fejérpataky (Budapest: MTA, 1885), 16, 22.

80 Cf. Adolf Zycha, *Das böhmische Bergrecht des Mittelalters auf Grundlage des Bergrechts von Iglau* (Berlin: F. Vahlen, 1900), vol. II, 92–93.

81 1402: “Johannes Smernstempel, des konigs obirster steiger” MNL OL, DF 235 721.

82 1347: CD, vol. IX/1, 500.

83 Bálint Hóman, *A Magyar Királyság pénzügyei és gazdaságpolitikája Károly Róbert korában* [The Finances and Economic Policy of the Kingdom of Hungary in the Age of Charles Robert] (Budapest: Nap Kiadó, 2003 [1921]), 265.

84 Cf. Stefánik, “Entstehung und Entwicklung,” 74.

85 We will not examine other offices occurring in mining towns, such as the *Teiler* or the *sáfár* (steward), since not one of the town charters speaks of these. For more on the *sáfár*, see Stefánik, “Entstehung und Entwicklung,” 77.

86 See Besztercebánya, 1255: CDES, vol. II, 341; Selmecebánya, *Vjsády miest*, 49–50.

the county ispáns (*comites parochiales*) or any judge but the king or the judge royal could pass judgment on them.⁸⁷ The privileges of the non-mining towns likewise dealt with possibilities of appeal, in which they designated the king or the judge entrusted by him.⁸⁸

Among the mining towns only Nagybánya was permitted by King Louis to enclose their settlement and thus defend it against the enemy with palisade and hedge.⁸⁹

The legal privileges show that the mining towns possessed all those privileges that other towns possessed, while the differences, i.e., the emergence of offices differing from those in other towns, stemmed from mining activity itself.

Ecclesiastical Privileges

The right to freely elect a parish priest can be found in almost every mining town privilege,⁹⁰ including the charters of Rózsahegy,⁹¹ Nagybánya⁹² and Breznóbánya.⁹³ Because these were towns where no significant church institution had yet developed prior to the acquisition of the town privilege, it is thus almost natural that there was an opportunity to freely elect the parish priest. Among the privileges we also find the regulation of the tithe obligation. The institution of the *libera decima*, which meant that it was the parish priest and not the bishop who benefitted from the tithes, can only be demonstrated in Selmezbánya among the mining towns of the Árpád era.⁹⁴ As for the privileges from the Angevin era, only those of Nagybánya do hint at the fact that the parish priest enjoyed the tithes. For in 1347 King Louis ordered that half of the tithe of the grain and wine should belong to the parish priest of Nagybánya, while the other half should be spent on building a church. It was likewise for the building of the church that Louis pledged the *census* on the deposition of wine (*census depositionis*

87 UGDS, vol. I, 396 (*Anjou-kori oklevéltár*, vol. IX, no. 251.).

88 Cf. Fügedi, “Középkori városprivilegiumok,” 64.

89 1347: CD, vol. IX/1, 502.

90 Cf. Besztercebánya, 1255: CDES, vol. II, 341; Rimabánya, 1268: ÁÚO, vol. VIII, 212.

91 1318: *Vjsady miest*, 92. Our first data on the parish priest dates from 1332 (*Nicolaus plebanus*); *Pápai tized-szedőke számadásai 1281–1375* [Accounts of the Papal Tithe Collectors]. Vatikáni Magyar Okirattár, Monumenta Vaticana historiam regni Hungariae illustrantia I/1 (Budapest: n.p., 1887), 198.

92 1347: CD, vol. IX/1, 499.

93 1380: *ibid.*, vol. IX/5, 391. The parish priest of Breznó (*Dominus Petrus plebanus de Brizna*) is first encountered on August 31, 1382; *ibid.*, vol. IX/5, 462.

94 Cf. 1263: *Vjsady miest*, 45. 1270: *ibid.*, 52–53. 1309: CD, vol. IX/1, 544–45.

vini), on its measure (*census mensurae*) and on the authentication of the lead stamp (*census staterae plumbi*); after the church was completed he ceded all of these to the town.⁹⁵

In the realm of ecclesiastical privileges the mining towns held the same rights as any other town,⁹⁶ and no difference whatsoever can be shown.

Economic Privileges

In contrast to other towns,⁹⁷ among the economic privileges it was not the commercial privileges that held primary importance for the mining towns but rather those linked to mining, above all the guarantee of “mining freedom” (*Bergbaufreiheit*). This is natural, since whereas the most important economic function of other towns was to ensure the exchange of goods, for the mining towns this was mining. This provided the basis for them to become mining towns, though the acquisition of this privilege did not necessarily lead to the formation of a mining town. The concept of mining freedom meant on the one hand the free exploration for ores, and on the other hand the stipulation of the *urbura* (one tenth of gold, one eighth of silver and other metals) to be paid to the king. Some of the privileges granted the freedom to mine without territorial restriction,⁹⁸ others, however, contained territorial restrictions as well. On March 12, 1337 King Charles I granted the opportunity to explore for metals and open mines within the limits of the estates of Dobrocsna, Bohó and Nevidzén and in the Divék Valley in Nyitra County.⁹⁹ On February 21, 1347 Louis I granted the sons of Gyula Tapolcsányi, Miklós and Gergely, as well as their kinsman, András son of András Tapolcsányi, the right to pan for gold in the Tapolcsány River on the territory of the royal castle of Hrussó (today northwest of Hostie, Slovakia) and the Tapolcsány estate.¹⁰⁰ The role assumed by the Tapolcsányi in mining is illustrated not only by these last two documents, but also by the fact that in 1321 Charles also bestowed the silver mine of Bakabánya on the sons of Hazlow of Tapolcsány, Gyula and András.¹⁰¹ On June 25, 1339 Charles gave the sons of Ábrahám of the Hontpázmány kindred, Sebes and Péter, permission to freely

95 Ibid., vol. IX/1, 501.

96 Cf. Fügedi, “Középkori városprivilegiumok,” 74–77.

97 Cf. *ibid.*, 28.

98 For example, Rózsahegy 1340: *Vjsady miest*, 132.

99 Wenzel, *Magyarország bányászatának*, 318–19.

100 *Anjou-kori okmánytár*, vol. V, 19.

101 Ibid., vol. I, 619–20.

extract the gold, silver and other metals found on their estates, and especially in the territory of Bazin (Pezinok, Slovakia) and Szentgyörgy (Svatý Jur, Slovakia), and to pan for gold as well.¹⁰² A diploma dated July 13, 1339 already informs us about a dispute on whether the gold and other metals found in the vicinity of Bazin were located within the boundaries of the estates of Sebes and Péter in Bazin or on royal land.¹⁰³ In this same year a decision in the matter of the gold mine of Nyírújhely (*Novus mons de Nyr*)¹⁰⁴ located in the vicinity of Sebes's estate in Sumberg,¹⁰⁵ was taken by the king.¹⁰⁶ On February 20, 1379 Louis I permitted the sons of Péter Sós of Sívár, János, György and László, to mine gold, silver and other metals on their estates.¹⁰⁷ Those on whose lands we have knowledge of working mines must also have obtained mining licenses from the king, even if their specific mining license is not known.¹⁰⁸ In the fourteenth century licenses of settlement plantation sometimes made provision for mines to be explored;¹⁰⁹ these, however, enjoyed free mining rights only in possession of a separate royal license.¹¹⁰

The opening of each mine carried within it the possibility that a town might also be founded there. Charles I alluded to this in 1337, when in addition to opening mines in the Divék Valley he also granted the opportunity to plant settlements and found towns there.¹¹¹ And in 1340, when he authorized László,

102 Wenzel, *Magyarország bányászatának*, 319. Louis I confirmed the mining permit for János and Miklós, sons of Sebus of Bazin, on February 4, 1365; *ibid.*, 321–22.

103 *Ibid.*, 320.

104 In 1340 it figures under the name “Novus Mons de Nir Pathaka”; see *Anjou-kori okmánytár*, vol. IV, 12. The Nyírpatak stream flowed between Szentgyörgy and Bazin; cf. 1340: *ibid.*, vol. XXIV, no. 763; 1343: *ibid.*, vol. XXVII, no. 478.

105 Sumberg is located north of Bazin; cf. MES, vol. III, 359–60.

106 Cf. Wenzel, *Magyarország bányászatának*, 323–24; *Anjou-kori okmánytár*, vol. III, 608–09; March 19, 1340: *ibid.*, vol. IV, 12–13.

107 CD, vol. IX/5, 322.

108 For example, we learn of mines on the estate of Miklós, brother of Batiz, Miklós, son of Batiz and István, son of Márk in 1312; see *Hazai okmánytár* [Collection of Domestic Charters], 8 vols., eds. Imre Nagy et al. (Győr–Budapest: n.p., 1865–1891), vol. VII, 368–69. In 1320 the sons of Benedict of the Ákos kindred made provisions for both the lead mine on the estate of Ardó (Gömör County) as well as mines on their estates to be explored later; see *Anjou-kori okmánytár*, vol. I, 545.

109 See for instance Lublópataka (Szepes County), January 21, 1308: *Regesta diplomatica nec non epistolaria Slovaciae*, 2 vols., ed. Vincent Sedlák (Bratislava: Sumptibus Acad. Scient. Slovacae, 1980–1987), vol. I. 247; Fridmanvágása (Frydman, Slovakia), July 24, 1308: CD, vol. VIII/1, 259–60; Murány (Muraň, Slovakia), 1321: *Anjou-kori okmánytár*, vol. I, 644; Dobsina (Dobšiná, Slovakia), 1326: *Výsady miest*, 109–10.

110 For instance, Kakas, son of Rikalf of Szepes obtained this kind of right through the mining license of the Zipser Saxons. Cf. CD, vol. VIII/1, 259–60.

111 Wenzel, *Magyarország bányászatának*, 318–19.

son of János, son of Langeus of Tolcsva, to open gold, silver and other mines on the estate of Tolcsva in Zemplén County, he also decreed that after the opening of the mines and the establishment of the town László should be the *comes*, lord or *rector* of the mines.¹¹² Some of the mining towns, however, were founded by the miners of already existing mining towns (as in the cases of Bakabánya and Újbánya, for example), and thus there was no need to provide a separate mining license for these settlements.

Since in order to work the mines timber was indispensable, it was the privileges related to this that were most important to the mining towns.¹¹³ Two processes may be observed: in one of them the ruler permitted the use of the forest within the borders of the town,¹¹⁴ and in the other he assigned the mining town a zone in the range of one, two or three miles within which he authorized the use of the forest.

In the case of the mining towns generally it was the latter solution that prevailed. Bakabánya, for example, must have possessed an area of one mile (*cum spacio unius miliaris*), since it was together with its adjoining one-mile district that on July 4, 1321 Charles I granted the settlement to the sons of Hazlow of Tapolcsány, Gyula and András.¹¹⁵ When in the late fifteenth century King Wladislaw II confirmed the privileges of the town of Bakabánya, he likewise recalled this one-mile zone (*per unum milliare circumquaque*).¹¹⁶ The people of Szomolnokbánya, who possessed the same liberty as other royal towns (*more aliarum civitatum nostrarum eadem libertate fruencium*), received an area of two miles around the town (*in spacio duorum miliarium undique pergirando*) in 1332.¹¹⁷ On June 14, 1325 Charles I ceded one and a half miles of land (*ad quantitatem unius et*

112 *Anjou-kori okmánytár*, vol. IV, 9–10.

113 The significance of timber is shown by those lawsuits which from the fifteenth century on almost constantly raise the issue of forest use. Cf. Gusztáv Wenzel, *Az alsómagyarországi bányavárosok közdelmei a nagy-lucsei Dóczyakkal. 1494–1548* [The Struggles of the Mining Towns of Lower Hungary against the Dóczy of Nagy-Lucse, 1494–1548], *Értekezések a történeti tudományok köréből* VI/6 (Budapest: n.p., 1876); Eszter Magyar, *A feudalizmus kori erdőgazdálkodás az alsó-magyarországi bányavárosokban 1255–1747* [Forest Management of the Feudal Era in the Mining Towns of Lower Hungary, 1255–1747], *Értekezések a történeti tudományok köréből* 101 (Budapest: Akadémiai Kiadó, 1983), 46–49.

114 Besztercebánya, 1255: CDES, vol. II, 341; Gölnicbánya, 1287: *Vjsady miest*, 68; Idabánya, 1349: *ibid.*, 163.

115 *Anjou-kori okmánytár*, vol. I, 619–20.

116 “per unum milliare circumquaque cum omnibus emolumentis et utilitatibus ad eam civitatem ab antiquo spectantibus, iuribus tamen alienis semper salvis permanentibus, uti, frui, et gaudere possint et valeant,” CD, vol. VII/5, 425.

117 *Vjsady miest*, 121.

dimidiae rastae) around the mine to the town of Aranyosbánya in accordance with the custom of the other royal gold mines (*consuetudine ceterarum aurifodinarum*).¹¹⁸ From 1328 Körmöcbánya was allowed to use the forests subjected to the king's right of donation within a distance of two miles (*ad duo miliaria*) without prejudice to another's right.¹¹⁹ On August 27, 1341 Telkibánya received, among other things, two miles of woodland with mines (*duas ratas de silva cum montibus*), since the town's lands had proven inadequate.¹²⁰ To Nagybánya belonged an area of three miles (*circumquaque ad tria milliaria*),¹²¹ within which, however, in the era of Louis I there were no longer sufficient trees for the support timbering of the mines (*sed quia robora et magna ligna operae stolonum, fouearum, ac domorum aedificiis necessaria in metis eorum inueniri non contingat*). For this reason, in 1347 Louis allowed the town to fell the necessary trees outside its borders (*extra metas eorum*) from the king's forest (*in possessionibus et sylvis nostris regalibus recipiendi habeant facultatem liberam*) without prejudice to the rights of other royal and noble estates.¹²² In 1376, moreover, Louis allowed the town the free use of the Fekete-erdő (Black Forest) as well as other royal forests situated around the town.¹²³

We possess little information from this period on the manner of timber cutting. In 1342 the citizens of Szomolnok and Gölnicbánya received permission during their lawsuit with the Monastery of Jászó, to take over half of the forest between the Gölnic and Bodva rivers owned by the monastery in exchange for which they were obliged to give one bolt of light white broadcloth to the monastery annually. After they finished cutting down the trees of the forest, they were obligated to return the land to the monastery.¹²⁴ At the same time the diploma does not inform us about what happened to the cleared forest subsequently. Some light is cast on systematic timber cutting by a later, 1426 charter from the era of King Sigismund (1387–1437). According to this the wood necessary for mining operations (*ligna necessaria et sufficientia*) was to be

118 UGDS, vol. I, 396.

119 *Výsady miest*, 115.

120 Wenzel, *Magyarország bányászatának*, 348–49. On July 9, 1341 the ruler ordered the boundaries of Telkibánya be marked (*ibid.*, 346), the chapter of Szepes issued a diploma about the boundary inspection, in which it noted that it was within the king's power to expand or reduce the limits (*quicquid autem ultra premissa vestre maiestati eidem civitati augendo, vel minuendo facere placuerit, hoc in vestra constitit maiestate*). *Ibid.*, 347–48.

121 Except for already existing villages, lands, forests and the nobles' estates.

122 CD, vol. IX/1, 499.

123 *Ibid.*, vol. IX/5, 98.

124 MNL OL, DF, 232 783; CD, vol. IX/3, 342–43 (dated 1362).

provided to the miners from the royal forests (*de silvis nostris regalibus*). Every year a different area had to be designated for cutting, and once a forested area had been so designated, its trees had to be felled, and only following this was it permitted to move on to another area. The cleared woodland could not be plowed over so that forest could once more grow on it.¹²⁵

The use of mining measures is addressed by the 1347 decree of Louis I. In it, the ruler directed the miners of Nagybánya to use the old and customary mining measure (*antiqua seu consueta montium mensura*),¹²⁶ referring to the system of mining land measurement used in distributing mining allotments.¹²⁷ The basic units of land measure used in the exploitation of the mine were the *Lachter* (or *Berglachter*) and the *Lehen*, both of German origin.¹²⁸ According to the mining code of Selmezbánya, one *Lachter* was equal to three Selmezbánya ells, while seven *Lachter* equaled one *Lehen*.¹²⁹ It is open to doubt whether in the fourteenth century we are dealing with the same measurement in Nagybánya, and also in Felsőbánya, which was closely connected to it, since according to the 1535 regulations on mining in Nagybánya and Felsőbánya, one *Lachter* equaled three Buda ells.¹³⁰ There is a substantial difference between the two systems of calculation, since the ell of Selmezbánya was 67.38 cm, while that of Buda was 58.403 cm.¹³¹

The practical functioning of the right of the chambers to exchange precious ores was described by Louis I in the 1347 charter of Nagybánya. In it the sovereign ordered the ispáns of the chamber not to hinder the merchants (*mercatores*) doing business between Nagybánya and Szatmár while they were coming to the Szatmár chamber and returning from there to the mine with pennies (*denarii*). The diploma unequivocally refers to trade in gold and silver when it notes that whoever leaves the territory of the Szatmár chamber with gold and silver (*cum auro et argento*) along hidden paths, stealthily, or without the

125 MNL OL, DF, 280 671.

126 CD, vol. IX/1, 500.

127 Cf. István Bogdán, *Magyarországi hossz- és földmértékek a XVI. század végéig* [Measures of Length and Land in Hungary up to the Late Sixteenth Century] (Budapest: Akadémiai Kiadó, 1978), 39.

128 *Lehen* = *bányakötel* = (*pars pro toto*) mining allotment.

129 “So ist zw wissnn das das percklocht(er) behellt vnnserer Statt ellnn dreyn, Vnd sybnn lachtter behalttn ein lehn.” *Das Stadt- und Bergrecht*, 46.

130 “die perglicher, anch welcher man perkwerk vermisst und vordinget soll werden, soll haben hinfürt drey ofner eln.” Sándor Takáts, “A magyar léhen és holden. Első közlemény” [The Hungarian *Lehen* and *Holden*. First Communication], *Századok* 42 (1908): 261, note 7; Bogdán, *Magyarországi hossz- és földmértékek*, 101.

131 Ibid., 110–11.

permission of the ispán of the chamber (*non obtenta licentia comitum camerarum*) is to be punished.¹³²

The charters also made provisions for the right to erect and own buildings that were indispensable during mining work. Thus, the people of Rózsahegy on November 14, 1340 received from Charles I the right to freely build a mill within the borders of their town, without prejudice to another's rights.¹³³ In 1376 Louis I allowed the *hospites* and burghers of Nagybánya and Felsőbánya to maintain mills, sheds,¹³⁴ smelting furnaces, launders,¹³⁵ allodia and other buildings (*molendinum, casas, fornaces, Balnea, allodia et alias quaslibet haereditates aedificari facientes*) according to the custom of other royal mines (*ritu aliarum nostrarum montanarum*).¹³⁶

Like other towns,¹³⁷ the mining settlements naturally attempted to obtain permission to hold markets as well,¹³⁸ though they achieved this for the most part only in the fifteenth century.¹³⁹ In his diploma granted to Gölnicbánya in 1287 Ladislaus IV also privileged the market of Gölnicbánya¹⁴⁰ by decreeing that no markets could be held in the villages within the town's borders: those living there also had to trade at the market of Gölnicbánya.¹⁴¹ On July 4, 1321 Charles I bestowed Bakabánya along with its market on the sons of Hazlow of Tapolcsány, Gyula and András.¹⁴² According to the charter of Bakabánya from the late fifteenth century, this free market (*forum liberum*) was held in the town on Saturdays.¹⁴³ In Nagybánya the weekly market was held every Monday, while the fair could be held for fifteen days starting on the Sunday before the feast of

132 CD, vol. IX/1, 500–01.

133 *Vjsady miest*, 132.

134 The *casa* mentioned in the document may have meant a building in which the miners kept their tools and which on workdays could have served as lodgings for them as well.

135 The ores are cleaned after crushing but prior to roasting by washing. Cf. Georgius Agricola, *Tizenkét könyv a bányászatról és kohászátról* [Twelve Books about Mining and Smelting = *De Re Metallica*], trans. Rezső Brecht, ed. László Molnár (Budapest: OMBKE, n.d. [1985]), 294–95, 314–22.

136 CD, vol. IX/5, 98.

137 Cf. Fügedi, “Középkori városprivilegiumok,” 28–36.

138 On Selmecbánya's weekly market: 14th c: ÁÚO, vol. III. 209; 1505: MNL OL, DF 234 771. On Rózsahegy's weekly market: 1318: *Vjsady miest*, 92.

139 Rudabánya, 1388: MNL OL, DL, 42 413; 1415: *Zsigmondkori oklevéltár* [Charters from the Age of Sigismund], 12 vols., ed. Elemér Mályusz et al. (Budapest: Magyar Országos Levéltár, 1951–2013), vol. V, no. 808; Újbánya, 1424: MNL OL, DL, 59 014; 1434: CD, vol. X/7. 569; Rozsnyóbánya, 1430: MNL OL, DL, 16 753; Besztercebánya, 1480: MNL OL, DF, 271 829; Breznóbánya, 1488: MNL OL, DL, 30 856.

140 Its toll regulations were established in 1278; cf. ÁÚO, vol. IX, 204–05.

141 *Vjsady miest*, 68.

142 Ibid., 96.

143 CD, vol. VII/5, 425.

Saint Gall (October 16), according to the custom of the royal town of Kassa (*more civitatis nostrae Cassensis*).¹⁴⁴

In 1376 among the privileges of Nagybánya and Felsőbánya Louis I mentioned also that on the day of the market (*in die fori*) both foreigners and townspeople could freely sell cloth by the bolt and by the ell (*cum petiis et etiam ulnis*), but during the week (*in septimana*) the town residents could sell either retail or wholesale, that is, by the ell and by the bolt (*cum ulnis et etiam petiis*), while foreigners could sell only by the bolt (*cum petiis*), that is, only wholesale.¹⁴⁵ The charter's allusion to selling independently of the markets raises the suspicion that a staple operated in Nagybánya; in the absence of further information, however, we cannot state for certain that the town possessed staple right as well.

In contrast to other towns,¹⁴⁶ mining towns only rarely obtained the privilege of exemption from tolls,¹⁴⁷ closely connected to trade. The people of Rózsahégy did receive exemption from tolls at the market held in Rózsahégy from ispán Dancs in 1318.¹⁴⁸

In his charter granted to the *hospites* of Nagybánya in 1347, King Louis decreed that the burghers, merchants and other hospites could freely sell wine. The ruler also allowed them to bring butchered meat (except for bacon) and bread without paying tolls (save that of Zázárkő) to Nagybánya and freely sell them together with other goods on Mondays.¹⁴⁹ This measure of Louis shows that the people of Nagybánya possessed the right to sell meat in Nagybánya, and only at the town's weekly market, held on Mondays, did others also have the opportunity to sell meat. Regulation of wine sales took place once more in 1376, when Louis decreed that until the feast of Saint James (July 25) only wine produced on their land could be sold in the town.¹⁵⁰ In 1374 the people of Gölnicbánya saw to it that the inhabitants of the seven villages belonging to them were prevented from the right to either operate a public house (*educillatio*) or sell meat or textiles; in all these matters the villagers were to adhere to Gölnicbánya.¹⁵¹

144 1347: *ibid.*, vol. IX/1, 502.

145 *Ibid.*, vol. IX/5, 99.

146 Cf. Fügedi, "Középkori városprivilegiumok," 36–40.

147 Selmecbánya and Besztercebányahad had possessed such a privilege since the Árpád era; cf. CDES, vol. II, 341.

148 *Výsady miest*, 92.

149 CD, vol. IX/1, 500.

150 1376: *ibid.*, vol. IX/5, 98.

151 *Ibid.*, IX/4, 564–65.

The charters also deal with the problem of hunting and fishing in connection with the use of the forest. The inhabitants of the mining towns could freely hunt and fish within the town borders, just as the burghers of other towns could in the Angevin period.¹⁵² This provision may be observed in the charters of Gölnicbánya¹⁵³ and Rózsahegy.¹⁵⁴ According to both their 1318 and 1340 charters the people of Rózsahegy could freely hunt and fish within their town borders; however, in the charter of 1318 the ispán of Zólyom, Dancs, did not permit them to fish in the Vág River,¹⁵⁵ whereas in the privilege of 1340 the ruler specifically emphasized the right to fish freely in the waters of the Revuca River.¹⁵⁶

The charters from the fourteenth century determined the towns' tax liabilities and the manner of payment as well. The people of Rózsahegy were obligated to pay 50 marks to the king every year.¹⁵⁷ The inhabitants of Nagybánya and Felsőbánya according to the charter of 1376 were required to pay 1000 florins around the feast of Saint George (April 24) in token of the annual tax (*collecta*), the "profit of the chamber" (*lucrum camere*) and the new year's gift; above this, however, no other tax could be collected from them.¹⁵⁸ According to the charter of Bakabánya from the late fifteenth century, the town was expected to pay the king a total of 90 florins in two instalments as an annual *census* (*pro annuo censu*).¹⁵⁹

The right of the grantor of the privilege to receive food and lodging (*descensus*) is found only in the 1318 charter of Rózsahegy, where the grantor, ispán Dancs of Zólyom, reserved for himself the right of *descensus*; however, he denied it to his officials and retainers.¹⁶⁰ Finally, in 1340 King Charles exempted the town from providing *descensus* to anyone.¹⁶¹

We do not find privileges relating to the question of the transfer of real estate and free disposition of property in the charters of the mining towns. Only King Louis guaranteed the burghers of Nagybánya in 1347 that if someone

152 Cf. Fügedi, "Középkori városprivilegiumok," 48.

153 1287: *Vjsady miest*, 68.

154 1318: *ibid.*, 92; 1340: *ibid.*, 132.

155 *Ibid.*, 92.

156 *Ibid.*, 131.

157 *Ibid.*, 132.

158 CD, vol. IX/5, 99–100.

159 *Ibid.*, vol. VII/5, 425.

160 *Vjsady miest*, 92.

161 *Ibid.*, 132.

committed murder and then fled, his movable and immovable assets would be left to his wife, children or heirs.¹⁶²

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It is the principle of “mining freedom” and the privileges tied to mining, whether economic or legal, that differentiate the mining towns from other privileged towns. The burghers of the mining towns could be tied to other mining towns not only by ties of kinship but also economic and political interests and their lawsuits; indeed, we find examples also of new mining towns being established through their collaboration, as in the case of Újbánya, founded by Bakabánya. It was this close relationship that led to the mining towns taking joint action in mining questions beginning in the second half of the fourteenth century, and from the fifteenth century in protection of their economic interests as well, and alliances of mining towns organized on a territorial basis were formed. We encounter the first mention of the alliance of the mining towns which later came to be known as those of “Lower Hungary” (Selmecebánya, Körmöcbánya, Bakabánya, Újbánya, Besztercebánya and Libetbánya) – an alliance not based on the signing of any formal treaty – when they passed a joint decision in 1388;¹⁶³ this, however, as yet attests only to their solidarity in mining matters. It is only from the fifteenth century on that we do have data about the aforementioned mining towns taking common action for their own interests. The seven mining towns of Upper Hungary (Gölnicbánya, Szomolnok, Rudabánya, Jászó [Jasov, Slovakia], Telkibánya, Rozsnyó [Rožňava, Slovakia] and Igló [Spišská Nová Ves, Slovakia]) entered into an alliance with one another in December 1487.¹⁶⁴ Nevertheless, already in the fourteenth century there occurred common affairs in which the individual mining towns of Upper Hungary jointly represented their interests. For instance, in 1342 the judges and jurors of Szomolnok and Gölnicbánya jointly pursued a lawsuit with the Monastery at Jászó regarding the forest owned by the monastery.¹⁶⁵ Because of the similarity of their economic status the mining towns formed close relations with one another, and thanks to their special freedoms they stood apart from the other towns while also forming an organic part of the town network.

162 1347: CD, vol. IX/1, 502.

163 Wenzel, *Magyarország bányászatainak*, 268.

164 Ibid., 361–63.

165 MNL. OL, DF, 232 783.

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